

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14515, of Ralph D. Martin and R. Meemeskul, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot width requirements (Sub-section 3301.1), the lot occupancy requirements (Sub-section 3303.1) and the side yard requirements (Sub-section 3305.1) to construct a single family dwelling in a R-2 District at premises 3513 - 30th Street, N.W., (Square 2068, Lot 19).

HEARING DATE: DECEMBER 10, 1986
DECISION DATE: JANUARY 7, 1987
DISPOSITION: The Board. GRANTED the
application by vote of 5-0
(Charles R. Norris, Patricia N. Mathews,
Paula L. Jewell, William F. McIntosh and
Carrie L. Thornhill to grant).

FINAL DATE OF ORDER: March 5, 1987

ORDER

On March 18, 1987, counsel for Alina Truhan, a party in opposition, filed a timely motion for reconsideration and rehearing in the subject application. The basis for the motion for reconsideration was that, because of alleged erroneous findings of fact, the Board erred in its conclusion that the proposed structure would be compatible with the character of the neighborhood. The basis for the motion for rehearing was that the portion of the structure referred to as a "deck" should more properly have been referred to as a "carport" and therefore subject to the requirements for accessory parking spaces. Counsel for the applicant opposed the motion by letter dated March 25, 1987. Counsel for the opposition argued that the motion should be denied, as no grounds have been set forth to cast doubt on the correctness of the Board's decision and no new evidence has been submitted which could not reasonably have been presented at the public hearing.

Upon consideration of the motion, opposition thereto, and its final order, the Board concludes that it has made no error in deciding the application. The motion does not raise any new issues that could not reasonably have been presented at the public hearing. The motion further raises no issues that were not previously considered by the

Board. The Board has duly considered the allegations that the findings were "erroneous" and is satisfied that those allegations do not merit point-by-point discussion. The issues and concerns of the opposition were presented at the public hearing and addressed in the final order of the Board. Accordingly it is hereby ORDERED that the motion for reconsideration or rehearing is hereby DENIED.

Vote: 4-0 (Carrie L. Thornhill, Charles R. Norris, Paula L. Jewell and William F. McIntosh to deny; Patricia N. Mathews not present, not voting).

DECISION DATE: April 1, 1987

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: AUG 5 1987

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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